

# State of California

## Secretary of State

### REGISTRATION OF TRADEMARK AND SERVICE MARK

California Business and Professions Code Sections 14200 et seq.

#### DEFINITIONS

**"TRADEMARK** means any word, name, symbol, device or any combination thereof adopted and used by a person to identify goods made or sold by that person and to distinguish them from goods made or sold by others." (Section 14207)

**"SERVICE MARK** means a mark used in the sale or advertising of services to identify the **services** of one person and distinguish them from the services of others." (Section 14206)

**"TRADE NAME** means a word, name, symbol, device, or any combination thereof used by a person to identify his **business**, vocation or occupation..." (Section 14208) **While trade names are defined in the Trademark Law, California statute does not provide for the filing of fictitious business names at the state level. Fictitious business name statements are required to be filed with the clerk of the county in which the company is doing business pursuant to Business and Professions Code Section 17900.**

#### GENERAL INFORMATION

All applications must be neatly printed in ink or typewritten. Applications must be legible for registration and microfilming.

When submitting applications, please include a self-addressed, stamped postcard with the name of the mark to be registered. It will be date stamped and returned to you as verification of receipt of the document. **SEND A SEPARATE CHECK FOR EACH APPLICATION.**

Specify in the appropriate space whether the mark is a trademark or service mark. Only one mark may be submitted on each application. Registration of a mark shall be effective for a term of ten years and may be renewed for a like term. The renewal form furnished by the Secretary of State must be submitted within six months prior to the expiration date.

Send the signed application with original signature(s) to the Secretary of State, Trademark Unit, P.O. Box 944225, Sacramento, CA 94244-2250, **WITH THE \$70.00 FILING FEE**. Questions concerning Trademark/Service Mark applications should be directed to **(916) 653-4984** between the hours of 8:00 a.m. and 4:30 p.m.

#### INSTRUCTIONS FOR COMPLETING APPLICATIONS

##### 1-7. APPLICANT INFORMATION

1. Give complete name of owner of mark.
2. List complete street address. **DO NOT** give P.O. Box. If Service Mark, provide a California Business Address.
3. List city and state. **DO NOT** abbreviate the name of the city.
4. Enter ZIP CODE.
5. Identify the business structure of the applicant by checking the appropriate box. If a corporation is the owner, give state of incorporation. A corporation must be in good legal standing in order to register a mark.
6. If the owner is a partnership, list the names of all general partners.
7. If the owner is a Limited Liability Company, list the names of members/managers.

##### 8. NAME AND/OR DESIGN OF MARK

If the mark is a name and a design, provide the name and a brief written description of the design. If the mark is a design only, give a brief written description of the design in the space provided that can be pictured in the mind without reference to the specimens.

- ◆ **DO NOT** paste, tape, or staple a specimen in this space.
- ◆ If the mark is not in English, provide an English translation.

##### DISCLAIMER

The mark may include a descriptive word or design that must be disclaimed. A disclaimer is an acknowledgment by the applicant of descriptive words in the mark to which no one can claim exclusive right. Should there be a word or words that need to be disclaimed, insert them in the space on the application marked "Disclaimer."

## 9. FIRST USE

The mark must be in use in this state before it can be registered with this office.

- (a) If a trademark, the goods or products must actually have been sold or otherwise distributed in this state.
- (b) If a service mark, the advertised services must actually be rendered in this state. **THE MERE ADVERTISING OF FUTURE SERVICES OR GOODS DOES NOT CONSTITUTE USE OF A TRADE OR SERVICE MARK.**

## 10. IDENTIFICATION OF GOODS/SERVICES

If a trademark, specify the type of goods on which the mark is used. If a service mark, list the type of service provided. Do not use terms which describe a general field or category of products or services; be specific.

One or more classes of goods or services may be applicable to the mark. Only one class of goods or services per application. **A SEPARATE APPLICATION IS REQUIRED FOR EACH CLASS.**

If the classification number is not given, the Secretary of State will assign the class number, and will change the number if that furnished by the applicant is not appropriate.

## 11. RETURN ACKNOWLEDGMENT

Give the name and address of the person or firm to receive the acknowledgment of the filing.

## 12. MANNER OF MARK USE

How is the mark used? If a trademark, how is it applied to the goods or products? By label or tag or imprinting on the goods or their containers? If a service mark, how is the mark used in advertising? On brochures or business cards?

## 13. SPECIMENS

Include with the application **three identical original specimens** which show how the mark is used on the goods or in connection with services identified in the application. The specimens should be no larger than 8½ by 11 inches and should lay flat. Specimens which have been altered or defaced in any manner are not acceptable. Do not submit metal of any kind, words typed on cards or sheets of paper or freehand drawings. Computer generated prototypes are not acceptable.

- (a) If a trademark, submit specimens that are affixed to your goods or products. Labels, tags, wrappers, or three clear identical photographs of the goods or products (showing the mark as actually used) are acceptable.
- (b) If a service mark, submit specimens from which the type of service(s) provided can be determined. Envelopes, invoices, letterhead, and matchbooks are not acceptable as specimens. Business cards, brochures, flyers or advertisements are acceptable, if they **identify the nature of the service rendered by applicant.**

## 14. DECLARATION OF OWNERSHIP

If the applicant is a partnership or a corporation, enter the name as it appears in Item 1.

### SIGNATURE

If the applicant is a partnership or a corporation, a partner or an officer of the corporation must sign the application and list his/her title.

If an attorney is signing the application on behalf of a client, please provide a copy of the **POWER OF ATTORNEY**.

Type or print name of applicant.

Indicate the date the application is signed.

## FEDERAL PATENTS/TRADEMARKS

The Secretary of State registers trade and service marks used in the State of California. If information concerning federal registration of trademarks, service marks and patents is needed, contact the Commission of Patents and Trademarks, Washington, DC 20231

## COPYRIGHTS

For information concerning copyrights, contact the Copyright Office, James Madison Memorial Building, 101 Independence Avenue S.E., Washington, DC 20559.



# State of California Secretary of State

## REGISTRATION OF TRADEMARK OR SERVICE MARK

Pursuant to Business and Professions Code Section 14230

**NOTICE: READ ACCOMPANYING INSTRUCTIONS BEFORE COMPLETING THIS FORM**

REGISTRATION APPLICATION FOR:		
<input type="checkbox"/> <b>TRADEMARK</b> <input type="checkbox"/> <b>SERVICE MARK</b>		
1. APPLICANT NAME		
2. STREET ADDRESS (PROVIDE CALIFORNIA BUSINESS ADDRESS IF SERVICE MARK)	3. CITY AND STATE	4. ZIP CODE
5. BUSINESS STRUCTURE (CHECK ONE)		
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> LIMITED PARTNERSHIP <input type="checkbox"/> LIMITED LIABILITY COMPANY <input type="checkbox"/> GENERAL PARTNERSHIP <input type="checkbox"/> CORPORATION (STATE OF INCORPORATION) _____</div><div><input type="checkbox"/> SOLE PROPRIETOR <input type="checkbox"/> HUSBAND AND WIFE, AS COMMUNITY PROPERTY <input type="checkbox"/> OTHER (DESCRIBE) _____</div></div>		
6. NAMES OF THE GENERAL PARTNERS, IF APPLICANT IS A PARTNERSHIP	7. NAMES OF MEMBER(S) OR MANAGER(S), IF APPLICANT IS A LIMITED LIABILITY COMPANY	
8. <b>NAME AND/OR DESIGN OF MARK.</b> (FOR DESIGN PROVIDE A BRIEF WRITTEN DESCRIPTION THAT CAN BE PICTURED IN THE MIND WITHOUT REFERENCE TO THE SPECIMENS. DO NOT DRAW THE DESIGN ON APPLICATION)		
DISCLAIMER (IF APPLICABLE) NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM:		
9. DATE THE MARK WAS FIRST USED IN CALIFORNIA	DATE THE MARK WAS FIRST USED ANYWHERE	
10. IF A TRADEMARK, LIST SPECIFIC GOODS. IF A SERVICE MARK, LIST SPECIFIC SERVICE.		<b>THIS SPACE FOR FILING OFFICER USE</b>  <b>TRADE/SERVICE MARK</b>  REG. NO. _____  CLASS NO. _____
CLASS NUMBER _____ (ONE CLASSIFICATION NUMBER ONLY)		
11. <b>RETURN ACKNOWLEDGMENT TO:</b> (TYPE OR PRINT)		
NAME		
ADDRESS		
CITY		
STATE		
ZIP CODE		
SEC/STATE LP/TM 101 (REV. 2/97) <span style="float: right;">FILING FEE: \$70.00</span>		

(OVER)

12. **MANNER OF MARK USE.**

CHECK ALL THAT APPLY

**FOR TRADEMARKS ONLY**

- ☐ ON LABELS AND TAGS AFFIXED TO THE GOODS.
- ☐ ON LABELS AND TAGS AFFIXED TO CONTAINERS OF THE GOODS.
- ☐ BY PRINTING IT DIRECTLY ONTO THE GOODS.
- ☐ BY PRINTING IT DIRECTLY ONTO THE CONTAINERS FOR THE GOODS.
- ☐ OTHER \_\_\_\_\_

**FOR SERVICE MARKS ONLY**

- ☐ ON BUSINESS SIGNS.
- ☐ ON ADVERTISING BROCHURES.
- ☐ ON ADVERTISING LEAFLETS.
- ☐ ON BUSINESS CARDS.
- ☐ ON LETTERHEADS.
- ☐ ON MENUS.
- ☐ OTHER \_\_\_\_\_

13. **SPECIMENS**

CHECK ONE BOX BELOW. ENCLOSE THREE (3) IDENTICAL ORIGINAL SPECIMENS.

**FOR TRADEMARKS ONLY**

- ☐ ACTUAL LABELS.
- ☐ ACTUAL TAGS.
- ☐ PHOTOGRAPHS OF THE GOODS/CONTAINERS SHOWING THE TRADEMARK.
- ☐ FRONT PANELS OF A PAPER CONTAINER BEARING THE TRADEMARK.
- ☐ OTHER \_\_\_\_\_

**FOR SERVICE MARKS ONLY**

- ☐ BUSINESS CARDS.
- ☐ ADVERTISING BROCHURES.
- ☐ ADVERTISING LEAFLETS.
- ☐ MENUS SHOWING THE MARK.
- ☐ OTHER \_\_\_\_\_

14. **DECLARATION OF OWNERSHIP**

APPLICANT HEREWITH DECLARES THAT HE/SHE HAS READ THE ABOVE AND FOREGOING APPLICATION AND KNOWS THE CONTENTS THEREOF AND THAT THE FACTS SET OUT HEREIN ARE TRUE AND CORRECT AND THAT THE THREE SPECIMENS OF THE MARK SUBMITTED ARE TRUE AND CORRECT, AND TO HIS/HER BEST KNOWLEDGE AND BELIEF NO OTHER PERSON, FIRM, CORPORATION, UNION OR ASSOCIATION HAS THE RIGHT TO USE SAID MARK IN THIS STATE, EITHER IN IDENTICAL FORM OR IN SUCH NEAR RESEMBLANCE THERETO AS MIGHT BE CALCULATED TO DECEIVE OR CONFUSE.

NAME OF CORPORATION/PARTNERSHIP/LIMITED LIABILITY COMPANY (IF APPLICABLE)

SIGNATURE OF APPLICANT



IF PARTNER, MANAGER OR CORPORATE OFFICER, INCLUDE TITLE

TYPE OR PRINT NAME OF APPLICANT

DATE

TYPE OR PRINT THE NAME AND ADDRESS OF THE PERSON OR FIRM TO RECEIVE THE ACKNOWLEDGEMENT OF THE FILING. SEND THE SIGNED APPLICATION WITH ORIGINAL SIGNATURE(S) TO THE SECRETARY OF STATE, TRADEMARK UNIT, P.O. BOX 944225, SACRAMENTO, CA 94244-2250 WITH THE \$70.00 FILING FEE.

# State of California

## Secretary of State

### CLASSIFICATION OF TRADEMARKS AND SERVICE MARKS

Pursuant to Business and Professions Code Section 14290 et seq.

SECTION 14290. GENERAL CLASSES OF GOODS AND SERVICES ARE ESTABLISHED FOR CONVENIENCE OF ADMINISTRATION OF THIS CHAPTER BUT NOT TO LIMIT OR EXTEND THE APPLICANT'S OR REGISTRANT'S RIGHTS. AND A SINGLE APPLICATION FOR REGISTRATION OF A MARK MAY INCLUDE ANY OR ALL GOODS UPON WHICH, OR SERVICES WITH WHICH, THE MARK IS ACTUALLY BEING USED COMPRISED IN A SINGLE CLASS, BUT IN NO EVENT SHALL A SINGLE APPLICATION INCLUDE GOODS OR SERVICES UPON WHICH THE MARK IS BEING USED WHICH FALL WITHIN DIFFERENT CLASSES OF GOODS OR SERVICES.

SECTION 14291(b). For purposes of those marks for which a certificate of registration is issued or renewed, or an assignment is recorded by the Secretary of State on or after January 1, 1996, the following shall be classified as "goods";

1. Chemical products used in industry, science, photography, agriculture, horticulture, and forestry; artificial and synthetic resins; plastics in the form of powders, liquids, or pastes, for industrial use; manures (natural and artificial); fire-extinguishing compositions; tempering substances and chemical preparations for soldering; chemical substances for preserving foodstuffs; tanning substances; adhesive substances used in industry.
2. Paints, varnishes, and lacquers; preservatives against rust and against deterioration of wood; coloring matters and dyestuffs; mordants; natural resins; metals in foil and powder form for painters and decorators.
3. Bleaching preparations and other substances for laundry use; cleaning; polishing, scouring, and abrasive preparations; soaps; perfumery, essential oils, cosmetics, and hair lotions; dentifrices.
4. Industrial oils and greases (other than oils and fats and essential oils); lubricants; dust-laying and absorbing compositions; fuels (including motor spirit) and illuminants; candles, tapers, night lights, and wicks.
5. Pharmaceutical, veterinary, and sanitary substances; infants' and invalids' foods; plasters and material for bandaging; material for stopping teeth, dental wax, and disinfectants; preparations for killing weeds and destroying vermin.
6. Unwrought and partly wrought common metals and their alloys; anchors, anvils, bells, and rolled and cast building materials; rails and other metallic materials for railway tracks; chains (except for driving chains for vehicles); cables and wires (nonelectric); locksmiths' work; metallic pipes and tubes; safes and cash boxes; steel balls; horseshoes; nails and screws; other goods in nonprecious metal not included in other classes; ores.
7. Machines and machine tools; motors (except for land vehicles); machine couplings and belting (except for land vehicles); large-size agricultural implements; incubators.
8. Hand tools and instruments; cutlery, forks, and spoons; side arms.
9. Scientific, nautical, surveying, and electrical apparatus and instruments (including wireless), and photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), lifesaving, and teaching apparatus; talking machines; cash registers; calculating machines; fire-extinguishing apparatus.
10. Surgical, medical, dental, and veterinary instruments and apparatus (including artificial limbs, eyes, and teeth).
11. Installations for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply, and sanitary purposes.
12. Vehicles; apparatus for locomotion by land, air, or water.
13. Firearms; ammunition and projectiles; explosive substances; fireworks.
14. Precious metals and their alloys and goods in precious metals or coated therewith (except cutlery, forks, and spoons); jewelry, precious stones, and horological and other chronometric instruments.

15. Musical instruments (other than talking machines and wireless apparatus).
  16. Paper and paper articles and cardboard and cardboard articles; printed matter, newspapers and periodicals, and books; bookbinding material; photographs; stationery and adhesive materials (stationery); artists' materials; paintbrushes; typewriters and office requisites (other than furniture); instructional and teaching material (other than apparatus); playing cards; printers' type and clichés (stereotype).
  17. Gutta percha, india rubber, balata, and substitutes, articles made from these substances and not included in other classes; plastics in the form of sheets, blocks, and rods, being for use in manufacture; materials for packing, stopping, or insulating; asbestos, mica, and their products; hose pipes (nonmetallic)
  18. Leather and imitations of leather, and articles made from these materials and not included in other classes; skins and hides; trunks and traveling bags; umbrellas, parasols, and walking sticks; whips, harnesses, and saddlery.
  19. Building materials, natural and artificial stone, cement, lime, mortar, plaster, and gravel; pipes of earthenware or cement; roadmaking materials; asphalt, pitch, and bitumen; portable buildings; stone monuments; chimney pots.
  20. Furniture, mirrors, picture frames; articles (not included in other classes) of wood, cork, reeds, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum, celluloid, substitutes for all these materials, or of plastics.
  21. Small domestic utensils and containers (not of precious metals, or coated therewith); combs and sponges; brushes (other than paint brushes); brushmaking materials; instruments and material for cleaning purposes, steel wool; unworked or semiworked glass (excluding glass used in building); glassware, porcelain, and earthenware not included in other classes.
  22. Ropes, strings, nets, tents, awnings, tarpaulins, sails, and sacks; padding and stuffing materials (hair, kapok, feathers, seaweed, etc.); raw fibrous textile materials.
  23. Yarns and threads.
  24. Tissues (Piece goods); bed and table covers; textile articles not included in other classes.
  25. Clothing, including boots, shoes, and slippers.
  26. Lace and embroidery, ribands, and braid; buttons, press buttons, hooks and eyes, pins, and needles; artificial flowers.
  27. Carpets, rugs, mats, and matting; linoleums and other materials for covering existing floors; wall hangings (nontextile)
  28. Games and playthings; gymnastics and sporting articles (except clothing); ornaments and decorations for Christmas trees.
  29. Meats, fish, poultry, and game; meat extracts; preserved, dried, and cooked fruits and vegetables, jellies, jams; eggs, milk and other dairy products; edible oils and fats; preserves and pickles.
  30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, and coffee substitutes; flour and preparations made from cereals; bread, biscuits, cakes, pastry and confectionery, and ices; honey and treacle; yeast and baking powder, salt, mustard, pepper, vinegar, sauces and spices; ice.
  31. Agricultural, horticultural, and forestry products, and grains not included in other classes; living animals; fresh fruits and vegetables; seeds; live plants and flowers; foodstuffs for animals and malt.
  32. Beer, ale, and porter; mineral and aerated waters and other nonalcoholic drinks; syrups and other preparations for making beverages.
  33. Wines, spirits, and liqueurs.
  34. Tobacco, raw or manufactured; smokers' articles; matches.
- SECTION 14292(b). For purposes of those services for which a certificate of registration is issued or renewed, or an assignment is recorded by the secretary of state on or after January 1, 1996, the following shall be classified as "services":
35. Advertising and business.
  36. Insurance and financial.
  37. Construction and repair.
  38. Communication.
  39. Transportation and storage.
  40. Material treatment.
  41. Education and entertainment.
  42. Miscellaneous.